

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SEVENTY-THIRD LEGISLATURE
OF THE
STATE OF MAINE
1907.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1907.

Chapter 240.

An Act to incorporate the Stonington Water Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Corporators.

Section 1. Martin J. Hayes, John L. Goss, Sumner P. Mills, Elmer P. Spofford, their associates, successors and assigns, are hereby made a corporation by the name of the Stonington Water Company, for the purpose of supplying the town of Stonington, in the county of Hancock, and the inhabitants of said town, with pure water for domestic, sanitary, municipal and public purposes, including extinguishment of fires.

—corporate name.

—purpose.

May take and store water.

Section 2. Said company, for said purposes, may retain, collect, take, store, use and distribute water from any springs, except such springs as are in actual use for domestic purposes, ponds, streams, or other water sources, in said Stonington, and may locate, construct and maintain cribs, reservoirs, aqueducts, gates, pipes, hydrants and all other necessary structures therefor.

May lay pipes along highways.

Section 3. Said company is hereby authorized to lay, construct, and maintain in, under, through, along and across the highways, ways, streets, railroads and bridges in said town, and to take up, replace and repair all such sluices, aqueducts, pipes, hydrants and structures as may be necessary for the purposes of its incorporation, so as not to unreasonably obstruct the same, under such reasonable restrictions and conditions as the selectmen of said town may impose. It shall be responsible for all damages to persons and property occasioned by the use of such highways, ways and streets, and shall further be liable to pay to said town all sums recovered against said town for damages for obstruction caused by said company, and for all expenses, including reasonable counsel fees incurred in defending such suits, with interest on the same, provided said company shall have notice of such suits and opportunity to defend the same.

—responsible for all damages.

May cross, but shall not obstruct sewers.

Section 4. Said company shall have power to cross any water course, private and public sewer, or to change the direction thereof when necessary for the purposes of its incorporation, but in such manner as not to obstruct or impair the use thereof, and it shall be liable for any injury caused thereby. Whenever said company shall lay down any fixture in any highway, way or street, or make any alterations or repairs upon its works in any highway, way or street, it shall cause the same to be done with as little obstruction to public travel as may be practicable, and shall, at its own expense, without unnecessary delay, cause the earth and pavements there removed by it to be replaced in proper condition.

—shall not unnecessarily obstruct public travel.

May take lands for reservoirs, etc.

Section 5. Said company may take and hold any waters as limited in section two, and also any lands necessary for reser-

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voirs, and other necessary structures, and may locate, lay and maintain aqueducts, pipes, hydrants and other necessary structures or fixtures in, over and through any lands for its said purposes, and excavate in and through such lands for such location, construction and maintenance. It may enter upon such lands to make surveys and location, and shall file in the registry of deeds for said county of Hancock, plans of such location and lands, showing the property taken, and within thirty days thereafter, publish notice of such filing in some newspaper in said county, such publication to be continued three weeks successively.

—may lay
pipes
through
lands.

—may enter
lands to
make
surveys, and
shall file
plans in
registry of
deeds.

Section 6. Should said company and the owner of such land so taken be unable to agree upon the damages to be paid for such location, taking, holding and construction, the damages shall be assessed in accordance with the law applicable to the assessment of damages for ways taken by railroads, so far as such law is consistent with the provisions of this act. If said company shall fail to pay such land owner, or deposit for his use with the clerk of the county commissioners aforesaid, such sum as may be finally awarded as damages, with costs when recovered by him, within ninety days after notice of final judgment shall have been received by the clerk of courts of said county, the said location shall be hereby invalid, and said company forfeit all rights under the same as against such land owner. Said company may make a tender to any land owner damaged under the provisions of this act, and if such land owner recovers more damages than were tendered by said company, he shall recover costs, otherwise said company shall recover costs. In case said company shall begin to occupy such lands before the rendition of final judgment, the land owner may require said company to file its bond to him with said county commissioners, in such sum and with such sureties as they approve, conditioned for said payment or deposit. No action shall be brought against said company for such taking, holding and occupation, until after such failure to pay or deposit as aforesaid. Failure to apply for damages within three years by the land owner, shall be held to be a waiver of the same.

Damages,
how
assessed, if
parties
disagree.

Section 7. Any person suffering damage by the taking of water by said company as provided by this act, may have his damages assessed in the manner provided in the preceding section, and payment therefor shall be made in the same manner and with the same effect. No action shall be brought for the same until after the expiration of the time of payment. And a tender by said company may be made with the same effect as in the preceding section.

Damages
for taking
water, how
assessed.

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May make contracts for supplying water.

Section 8. Said corporation is hereby authorized to make contracts with the United States, and with corporations, and inhabitants of said town of Stonington or any village corporation therein for the purpose of supplying water as contemplated by this act; and said town of Stonington by its selectmen, or such village corporation by its assessors, is hereby authorized to enter into contract with said company for a supply of water for public uses, on such terms and for such time as the parties may agree, which when made, shall be legal and binding on all parties thereto, and said town of Stonington for this purpose may raise money in the same manner as for other town charges.

Capital stock.

Section 9. The capital stock of said company shall be fifty thousand dollars, and said stock shall be divided into shares of twenty-five dollars each.

May hold real and personal estate.

Section 10. Said company for all its said purposes, may hold real and personal estate necessary and convenient therefor.

May issue bonds.

Section 11. Said company may issue its bonds for the construction of its works and for other purposes of its incorporation of any and all kinds upon such rates and time as it may deem expedient, to an amount not exceeding fifty thousand dollars, and secure the same by mortgage or mortgages of the franchise and property of said company.

Authorized to purchase Pine Lake Water Co.

Section 12. If Pine Lake Water Company shall within six months after the approval of this act, elect to exercise the power of sale granted in section thirteen of this act, the Stonington Water Company is further authorized, and before it may lawfully commence business under this charter, it shall be required, to purchase the property, capital stock, rights, privileges, immunities and franchise of Pine Lake Water Company, the organization of which was ratified and confirmed by chapter two hundred forty-eight, of the private and special laws of the year eighteen hundred and ninety-five, for the sum of seventeen hundred and fifty dollars; and upon such purchase, the said Stonington Water Company shall have, hold, possess, exercise and enjoy all the powers, privileges, rights, immunities, franchise, property and assets which at the time of such transfer shall then be had, held, possessed or enjoyed by the corporation so selling.

Pine Lake Water Co. authorized to sell its property.

Section 13. Pine Lake Water Company is hereby authorized to sell its property, capital stock, rights, privileges, immunities and franchise to said Stonington Water Company for the sum of seventeen hundred and fifty dollars; and in case of such sale, the Stonington Water Company may mortgage the franchise and property so acquired for the security of any bonds or other indebtedness authorized by this act.

First meeting, how called.

Section 14. The first meeting of said Stonington Water Company may be called by written notice thereof signed by any

two of the incorporators herein named, served upon each of the other incorporators by giving him the same in hand, or by leaving the same at his last usual place of abode, or by mailing the same to him at his last known residence or place of business, or by publishing the same in some newspaper in the county of Hancock, state of Maine, at least five days before the time of such meeting.

Section 15. This act shall take effect when approved.

Approved March 13, 1907.

Chapter 241.

An Act to empower the Benvenue Granite Company to erect and maintain wharves and docks on the shores of Crotch Island and Green Head in the town of Stonington.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Section 1. The Benvenue Granite Company is hereby authorized and empowered to construct and maintain wharves and docks on the shores of Crotch island and Green head in the town of Stonington in Hancock county. Said wharves being erected or to be erected upon or adjoining land now owned or hereafter to be acquired by said Benvenue Granite Company.

Wharves
and docks
authorized.

Section 2. This act shall take effect when approved.

Approved March 13, 1907.

Chapter 242.

An Act to confer additional powers on the Duplex Roller Bushing Company, a corporation organized under the general laws of the state of Maine.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Section 1. The Duplex Roller Bushing Company, in addition to, and not by way of limitation of, its corporate powers under its certificate of organization, dated the twenty-second day of February in the year of our Lord eighteen hundred and ninety, is hereby authorized to carry on the business of manufacturing, buying, selling, leasing and otherwise disposing of and dealing in machines and machinery, and parts of same; engines, boilers, motors and mechanical appliances and devices, of all kinds and for all purposes; also castings, forging tools and hardware, boats, vessels, motors, vehicles, and all other

Additional
powers
conferred.